

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
Edward D. Fagan, : Civil Action # 08-cv-6715  
Plaintiff :  
vs. :  
Republic of Austria, et al :  
Defendants: :  
-----X

**Declaration and Return of Service**

Edward D. Fagan hereby declares and says:

- 1) I am the Plaintiff in the above referenced matter.
- 2) Personal service pursuant to FRCP Rule 4 (c ) (2) was made by Roselyne Gisors, who is over 18 years of age and who is not a party to this action, on Defendant Austrian National Bank as follows:

Defendant Austrian National Bank, 450 Park Avenue, Suite 1202, New York, NY (*See Exhibit 1*)

- 3) The foregoing statements by me are true and accurate to the best of my knowledge, information and belief.

Dated: July 30, 2008

  
Edward D. Fagan

**CERTIFICATION OF SERVICE**

I hereby certify that the foregoing Declarations of Service have been electronically filed with the Clerk of the Court,

Courtesy hard copies of this Declaration of Service is provided to the Defendants as follows:

Defendant Austrian National Bank,  
450 Park Avenue, Suite 1202, New York, NY

Dated: July 30, 2008

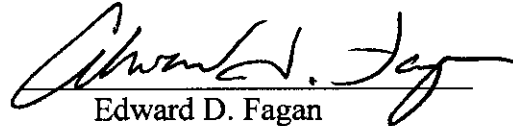
  
Edward D. Fagan

Exhibit 1  
(with attachments)

RETURN OF SERVICE	
Service of Summons and Complaint was made by me <sup>1</sup>	Date <u>July 29, 2008</u>
NAME OF SERVER <u>Roselyne Gisors</u>	TITLE
<p>Check one box below to indicate appropriate method of service</p> <p><input checked="" type="checkbox"/> Served personally upon the defendant Place where served: <u>450 Park Avenue, 12<sup>th</sup> Floor Suite 1202</u> <u>New York, NY 10022-4455</u></p> <p><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.</p> <p>Name of Person with whom the summons and complaint were left: _____</p> <p><input type="checkbox"/> Returned unexecuted _____</p> <p><input type="checkbox"/> Other (specify) _____</p> <p><i>Male in his 30s/40s who was going to let me in until he saw Mr. Fagan and then he blocked door, refused to give me his name and refused to call anyone else to door. *</i></p>	

STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL

DECLARATION OF SERVER	
<p>I declare under penalty of perjury under the laws of America that the foregoing information contained in the return of Service and Statement of Service Fees is true and correct.</p>	
<p>Executed on <u>July 29, 2008</u> Date</p>	<p><u>Roselyne Gisors</u> Signature of Server</p> <p><u>ROSELYNE GISORS</u> Address of Server <u>245 W. 72nd St #7B NYC 10023</u></p>

\* Person Served Male about 5'10" - 6' tall, thin blonde hair, pink shirt, no tie, no jacket, no glasses, dark pants, blocked entry to office, refused to give name, refused to open door more than for my foot and cane and part of my body. I told him I had papers, legal papers, he did not want to sign acknowledgment, kicked papers on floor, pushed me out the door. He had the papers but pushed them aside with his foot and closed the door only after he ~~touched~~ had papers. We waited for him to come out but left after a few minutes without getting his name. We left the papers exactly where he kicked them.

United States District Court  
Southern District of New York

-----X  
Edward D. Fagan,

Plaintiff

Civil Action #

- v -

08 CV 6715

Republic of Austria,  
Austrian National Bank,  
Vermittlungskommission Brandkatastrophe Kaprun,  
a/k/a The Kaprun Commission,  
Gletscherbahnen Kaprun AG,  
Österreichische Elektrizitätswirtschafts-AG,  
Generali Versicherung AG,

Defendants  
-----X

SUMMONS

TO:

See Multiple Defendants on Annexed Service List

***YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon Plaintiff Pro Se (Name and Address):***

Edward D. Fagan, 5 Penn Plaza, 23<sup>rd</sup> Floor, New York, NY 10001

***an answer to the Complaint which is herewith served upon you, within 20 days after service of this Summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.***

J. MICHAEL McMAHON

Clerk

Date

JUL 28 2008

By Deputy Clerk

**DEFENDANTS ADDRESSES**

- Republic of Austria, Federal Chancellory, Vienna, Austria



- Austrian National Bank, 745 5th Ave, New York, NY 10151+0001

- Gletscherbahnen Kaprun AG

Wilhelm Fazokas Straße 690 5710 Kaprun, Austria

- And -

c/o Austrian National Tourist Office

500 5th Ave, New York and 120 W 45th St # 9, New York, NY

- Österreichische Elektrizitätswirtschafts-AG, Am Hof 6a A-1010 Vienna
- Generali Versicherung AG / The Generali Group 1 Liberty Plaza # 29, New York, NY 10006 and Landskrongrasse 1-3, Vienna, Austria.

Austrian National Bank  
moved from  
745 Fifth Ave, NY, NY  
to  
450 Park Ave. Suite 1202  
NY, NY (cor. 57th + Park)

450

Welcome



Rosely Gisors

07/29/08

Expires:  
07/29/08

04:51